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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,878	05/15/2001	Mark Cirinna	COMP:0174/FLE P00-3330	1510

7590 12/28/2004

Intellectual Property Administration  
Legal Department, M/S 35  
P.O. Box 272400  
Ft. Collins, CO 80527-2400

EXAMINER
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RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application N .</b>	<b>Applicant(s)</b>	
	09/855,878	CIRINNA ET AL.	
	<b>Examin r</b>	<b>Art Unit</b>	
	Susan F. Rayyan	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/2/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claim 4 has been canceled.
2. Claims 1-3, 5--20 are pending.
3. Information Disclosure statement files on September 21, 2001 has been considered.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Regarding claim 17, the limitation "desired" is indefinite (lines 5-6).**

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-3, 7-13, 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes et al (US 5,970,475) in view of Day et al (US 2002/0147757).**

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**As per claim 1** Barnes teaches:

a first electronic information system being accessible from a website interface at col.7, lines 24-25;

data related to the identified company stored in electronic storage at col. 7, lines 57-58;

a plurality of tools to enable the employees to perform a plurality of employment related functions for the identified company, each tool utilizing the company-related data to perform its intended function at col. 8, lines 28-35.

Barnes does not explicitly teach a data engine operatable to provide a link between the ...first information system and a ...second information system operated by a business partnered with the identified company, the first and second websites having the same look and feel however Day does teach this limitation at parg. 56, specifically lines 4 and 10-13. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Barnes and Day (US 2002/0147757) to provide user-friendly and robust functions to users entering the back-end site via redirection at parg. 62.

**As per claims 2, 20** same as claim arguments above and Barnes teaches:

wherein the first electronic information system comprises a first application to identify each of the employees using the system at col.6, lines 42-43.

**As per claim 3**, same as claim arguments above and Barnes teaches:

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The first electronic information system comprises a second application to configure a website interface based upon the identity of each of the employees accessing the system at col.6, lines 57-65.

**As per claim 7**, same as claim arguments above and Barnes teaches: second application configures the appearance of the website interface based upon profiles of the employees at col.6, lines 57-65.

**As per claims 8, 13** same as claim arguments above and Barnes teaches: the second application configures the appearance of the website interface by employment function of each of the employees at col. 8, lines 32 (note: administrated functions).

**As per claim 9**, same as claim arguments above and Barnes teaches: the website interface is arranged topically by subject matter of the tools at col. 9, lines 29-50.

**As per claim 10**, same as claim arguments above and Barnes teaches: the plurality of tools comprise at least one application at col. 8, lines 28-35.

**As per claim 11**, same as claim arguments above and Barnes teaches: system utilizes the first application to identify the employee using the system and to provide the employees with a menu of the tools based on the identity of the employee at col. 6, lines 42-43, and col. 6, lines 60-65.

**As per claim 12 Barnes teaches:**

an information database containing data related to the identified company at col.7, lines 57-58;  
a plurality of tools to direct the system to perform operations to assist the employees to perform employment-related functions for the identified company at col.8, lines 28-35;  
an information engine that operates between the information database and the plurality of tools at fig. 3;  
an application to identify each of the employees accessing the system, wherein the system configures the interactive Internet website based on each employees' identity at col. 6, lines 57-65.

Barnes does not explicitly teach an interactive Internet website that enables only the employees of the identified company to access and interact with the electronic information system however Day does teach this limitation at pargs. 56,65. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Barnes and Day (US 2002/0147757) to provide user-friendly and robust functions to users entering the back-end site via redirection at parg. 62.

**As per claim 15 same as claim arguments above and Day teaches:**

wherein the system is linkable to an external Internet website in a manner transparent to the employees at parg. 56, specifically lines 4 and 10-13.

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**As per claim 16** same as claim arguments above and Day teaches:

Wherein the configuration ...similar appearance at parg. 56, specifically lines 4 and 10-13.

**As per claim 17** Barnes teaches:

providing a first computer system with ....a website having a ...look an feel at col. 7, lines 24-25;

providing the first computer system with first company-related data and a plurality of applications stored in memory ... at col.7, lines 57-58 and col.8, lines 28-35.

Barnes does not explicitly teach enabling a second company to host a second website having the ... look and feel of the first website ... and providing the first computer system with a data engine operable to locate specific first company data in memory and second company data ...transfer the specific first company-related data and s a second company data to an application to enable ... tool to perform their employment-related function however Day does teach these limitations at pargs 42 and parg. 56, specifically lines 4 and 10-13. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Barnes and Day (US 2002/0147757) to provide user-friendly and robust functions to users entering the back-end site via redirection at parg. 62.

**As per claim 18**, same as claim arguments above and Day teaches:

providing the system with a tool that enables an employee to obtain information or services via the second website at parg.65.

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**As per claim 19** same as claim arguments above and Barnes teaches: providing the system with a tool that enables an employee to request goods or services via the website interface at co. 7, lines 33-36.

**8. Claims 5-6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes et al (US 5,970,475) and Day et al (US 2002/0147757) and further in view of Lin et al (US 5,949,415).**

**As per claim 5**, same as claim arguments above and Barnes and Day do not explicitly teach the first electronic information system comprises a third application to record each of the employees' use of the system however Lin does teach this limitation at col.3, lines 12-14. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references for the purpose of billing the client user based on the extent of usage at col.2, lines 51-53.

**As per claims 6, 14** same as claim arguments above and Barnes and Day do not explicitly teach the first electronic information system comprises a for the application the enables the system to develop employee profiles based upon each of the employees' use of the system however Lin however does teach this limitation at col.1, lines 34-36. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to tailor service to the particular needs of individual clients at col. 1, lines 36-37.



***R sponse to Arguments***

9. Applicant's arguments concerning the limitation "look and feel" are convincing in view of the definitions provided on pages 8-9 of the response filed on July 2, 2004. The rejection under 112 second has been withdrawn.

10. Applicant's arguments with respect to claims 1,17 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues prior art of record fails to teach first and second websites having the same look and feel however Day teaches this limitation at parg. 56, lines 4 and 10-13. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Barnes and Day (US 2002/0147757) to provide user-friendly and robust functions to users entering the back-end site via redirection at parg. 62.

11. Applicant's arguments, see p.12, paragraph 3, filed July 2, 2004, with respect to the rejection(s)of claim(s) 12-16 under 35 U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Day et al. (US 2002/0147757). See above.

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-4117. The examiner can normally be reached M-F: 8am - 4:30pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107 The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for Official communications, (703) 746-7238 for After Final communications and (703) 746-7240 for Status inquires and draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Susan Rayyan

  
Dec. 17, 2004

  
Primary Examiner